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MAR 15 2005

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**FACSIMILE TRANSMITTAL SHEET AND
CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****TO: Examiner Everett White - United States Patent and Trademark Office**

Fax No. 703-872-9306

Phone No. 571-272-0660

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on March 15, 2005, to the above-identified facsimile number.

Linda S. Jernigan (Signature)

FROM: Linda S. Jernigan, (Typed or printed name of person signing Certificate)

Fax No. 513-622-3300

Phone No. 513-622-2811

Listed below are the item(s) being submitted with this Certificate of Transmission:**

Number of Pages Including this Page: 7

- 1) Fee Transmittal - orig. w/copy
- 2) Notice of Appeal - 2 pages - orig. w/copy
- 3)
- 4)
- 5)

Inventor(s): Myatt et al.

S.N.: 10/633,738

Filed: August 4, 2003

Docket No.: 9151R

Comments:

**Note: Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.

FEE TRANSMITTAL for FY 2005 Patent fees are subject to annual revision. Effective December 8, 2004	Complete if Known	
	Application Number	10/633,738
	Confirmation Number	5595
	Filing Date	August 4, 2003
	First Named Inventor	Myatt et al.
	Examiner Name	Everett White
	Art Unit	1623
TOTAL AMOUNT OF PAYMENT (\$500)	Attorney Docket No.	9151R

METHOD OF PAYMENT 1. [X] The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to: Deposit Account Number: 16-2480 Deposit Account Name: The Procter & Gamble Company	FEE CALCULATION (continued) 5. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Extension for reply within 1st month</td> <td>(\$120) <input type="checkbox"/></td> </tr> <tr> <td>Extension for reply within 2nd month</td> <td>(\$450) <input type="checkbox"/></td> </tr> <tr> <td>Extension for reply within 3rd month</td> <td>(\$1,020) <input type="checkbox"/></td> </tr> <tr> <td>Extension for reply within 4th month</td> <td>(\$1,590) <input type="checkbox"/></td> </tr> <tr> <td>Extension for reply within 5th month</td> <td>(\$2,160) <input type="checkbox"/></td> </tr> <tr> <td>Information Disclosure Statement fee</td> <td>(\$180) <input type="checkbox"/></td> </tr> <tr> <td>37 CFR 1.16(e) Late Oath/Declaration (nonprovisional)</td> <td>(\$130) <input type="checkbox"/></td> </tr> <tr> <td>37 CFR 1.17 (q) Missing Parts (provisional)</td> <td>(\$50) <input type="checkbox"/></td> </tr> <tr> <td>Non-English specification</td> <td>(\$130) <input type="checkbox"/></td> </tr> <tr> <td>Notice of Appeal</td> <td>(\$500) <input type="checkbox"/></td> </tr> <tr> <td>Filing a brief in support of an appeal</td> <td>(\$500) <input type="checkbox"/></td> </tr> <tr> <td>Request for oral hearing</td> <td>(\$1,000) <input type="checkbox"/></td> </tr> <tr> <td>Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)</td> <td>(\$1,370) <input type="checkbox"/></td> </tr> <tr> <td>Other:</td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	Fee Description	Fee Paid	Extension for reply within 1 st month	(\$120) <input type="checkbox"/>	Extension for reply within 2 nd month	(\$450) <input type="checkbox"/>	Extension for reply within 3 rd month	(\$1,020) <input type="checkbox"/>	Extension for reply within 4 th month	(\$1,590) <input type="checkbox"/>	Extension for reply within 5 th month	(\$2,160) <input type="checkbox"/>	Information Disclosure Statement fee	(\$180) <input type="checkbox"/>	37 CFR 1.16(e) Late Oath/Declaration (nonprovisional)	(\$130) <input type="checkbox"/>	37 CFR 1.17 (q) Missing Parts (provisional)	(\$50) <input type="checkbox"/>	Non-English specification	(\$130) <input type="checkbox"/>	Notice of Appeal	(\$500) <input type="checkbox"/>	Filing a brief in support of an appeal	(\$500) <input type="checkbox"/>	Request for oral hearing	(\$1,000) <input type="checkbox"/>	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	(\$1,370) <input type="checkbox"/>	Other:	<input type="checkbox"/>
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Cynthia L. Clay	Registration No.	54,930
Signature	<i>Cynthia L. Clay</i>	Telephone	(513) 622-0291
		Date	3/15/05

+ This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form under suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Form 2003 (Revised for P&G use 01/24/2005)

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Signature	<i>Cynthia L. Clay</i>	Telephones	(513) 622-0291
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[X] facsimile transmitted to the U.S. Patent and Trademark Office via fax number (703) 872-9306

Name: Linda S. Jernigan Registration No. (if applicable)
Signature: [Signature]
Date: March 15, 2005

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MAR 15 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/633,738
Applicant(s) : Myatt et al.
Filed : August 4, 2003
Title : Compositions Comprising A Defined Polysaccharide Component
TC/A.U. : 1623
Examiner : Everett White
Conf. No. : 5595
Docket No. : 9151R
Customer No. : 27752

NOTICE OF APPEAL FROM THE EXAMINER TO

THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is \$500 (37 CFR 41.20(b)(1)).

The Director is hereby authorized to charge the above fees, or any additional fees that may be required, or credit any overpayment to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. An additional copy of this Notice is enclosed for that purpose.

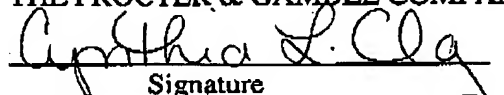
I am:

- ☐ an attorney or agent of record.
☐ an attorney or agent acting under 37 CFR 1.34(a).

[X] authorized to act on behalf of the assignee of record of the entire interest, The Procter & Gamble Company. See 37 CFR 3.71. The assignment was recorded on November 12, 2003 at reel 014121 frame 0925.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY



Signature

Cynthia L. Clay

Typed or printed name

Registration No. 54,930

(513) 622-0291

Date: March 15, 2005

Customer No. 27752

(Appnot.doc) (Last Revised 11/5/2004)